



Mr V Macdonald  
General Manager  
Richmond Valley Council  
Locked Bag 10  
CASINO NSW 2470

Dear Mr Macdonald

**Planning proposal PP\_2019\_RICHM\_002\_00 to amend Richmond Valley Local Environmental Plan 2012**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to rezone Lots 100 to 111 DP 755627, Bruxner Highway, Casino from RU1 Primary Production to IN1 General Industrial and apply a 750 m<sup>2</sup> minimum lot size under the Richmond Valley Local Environmental Plan 2012.

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Directions 1.1 Business and Industrial Zones, 1.2 Rural Zones, 1.5 Rural Lands, 2.1 Environmental Protection Zones and 2.3 Heritage Conservation are justified in accordance with the terms of the Direction. No further approval is required in relation to these Directions.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of section 9.1 Direction 4.3 Flood Prone Land. Council should ensure this occurs prior to public exhibition.

It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within nine months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment.

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Ms Katrina Burbidge to assist you. Ms Burbidge can be contacted on 6643 6406.

Yours sincerely



4-4-2019

**Jeremy Gray**  
**Director Regions, Northern**  
**Planning Services**

Encl: Gateway determination